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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE NOV 19 2004

In re application of: Robert V. Meushaw et al. Atty. Docket No.: Meushaw 1-1-1-1
Serial No. 09/854,818 Art Unit: 2137
Filed: May 15, 2001 Examiner: Ms. Courtney D. Fields
For: DEVICE FOR AND METHOD OF SECURE COMPUTING USING VIRTUAL
MACHINES

AFFIDAVIT UNDER RULE 131

Commissioner for Patents
P.O. BOX 1450
Alexandria, VA 22313-1450

Dear Sir:

Robert V. Meushaw, being duly sworn, deposes and says:

1. I am an applicant of the patent application identified above and an inventor of the subject matter described and claimed therein.

2. Prior to August 14, 2000, I had completed my invention as described and claimed in the subject application in this country, as evidenced by the following:

a. Prior to August 14, 2000, having earlier conceived of the idea of a device for and method of secure computing using virtual machines (referred to as NetTop at the National Security Agency) I instructed Major Dennis Ruck to build one secure computing device using virtual machines as described and claimed in the subject application, as evidenced by a paper attached hereto as Exhibit A in which Major Dennis Ruck reports that he built the secure computing device using virtual machines.

b. Using the secure computing device using virtual machines as described and claimed in the subject application, Major Dennis Ruck configured the device to implement two networks (classified and unclassified) in a laboratory at the National Security Agency, 9800 Savage Road, FT MEADE, MD, 20755 as evidenced by the paper attached hereto as Exhibit A.

c. The date referred to in Exhibit A as the date Major Dennis Ruck build the secure computing device using virtual machines as described and claimed in the subject application is prior to August 14, 2000.

Robert V. Meushaw

Robert V. Meushaw

State of MARYLAND)
County of Baltimore)

Sworn to and subscribed before me on November 19, 2004 (date), known to me to be the individual described in and who executed the foregoing instrument duly appeared before me and acknowledged to me that he executed the same as his own free act and deed.

Christopher
(Signature)

Notary Public of State of Maryland

My Commission Expires 4/5/05

